

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL NO. 1:04CV11

**GERALD D. PAYNE; DENNY
CHARLES PEARCE; and MAURICE
ANTHONY LASHER,**

Plaintiffs,

Vs.

**STEVEN A. WARD; SAMUEL G.
FERRELL; RAY CHASTEN; HERMAN
W. McEWAN; LIONEL KOON;
TANTAMOUNT, L.L.C.; PARKLAND
TRUST B.T.; JAMES R. KELLER; and
ADVENTUROUS LIVING, INC.,**

Defendants.

ORDER

THIS MATTER is before the Court on a request by the Defendant Lionel Koon to participate in the pretrial conference by telephone.

For the reasons stated in the motion and for cause shown,

IT IS, THEREFORE, ORDERED that the Defendant Koon's request to participate in the pretrial conference by telephone is **ALLOWED**. The Defendant is advised that when the conference is set to begin, the Court will phone Mr. Koon at the number provided in the motion and place the call on speaker phone so that all in the room may hear him and he may hear the proceedings taking place in chambers.

Signed: August 23, 2005

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

